

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

CV 16-750 MV/KK

JOSE PEDRO GARCIA,


Defendant/Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed July 29, 2016. (Doc. 4). The parties were notified that objections were due within fourteen days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. To this date, no objections have been filed.

IT IS THEREFORE ORDERED that:

- 1) the PFRD is adopted as an order of the Court;
- 2) the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (Doc. 1) is granted. The Court notes that the defendant has already been sentenced to a term of time-served in his criminal case, CR 04-2242-MV.

  
UNITED STATES DISTRICT JUDGE